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RE

PATENT

ATTORNEY DOCKET NO. CGNE.099.00USR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Reissue Application of: Shewmaker, *et al.*

Patent No.: 5,753,475

Issued: May 19, 1998

Reissue Serial No.: ~~Not Yet Assigned~~

Filed: May 19, 2000

For: **METHODS AND COMPOSITIONS
FOR REGULATED TRANSCRIPTION
AND EXPRESSION OF
HETEROLOGOUS GENES**

) Examiner: ~~Not Yet Assigned~~
) (Examiner David Fox in parent case)

) Art Unit: ~~Not Yet Assigned~~

163P

) REISSUE TRANSMITTAL
) PATENT APPLICATION

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Transmitted herewith for filing is an application for reissue of a utility patent.
 - a. Inventors: Christine K. Shewmaker, Catherine M. Houck,
Vic C. Knauf, Jean C. Kridl and Daniel Facciotti
 - b. Title of application: **METHODS AND COMPOSITIONS FOR
REGULATED TRANSCRIPTION AND
EXPRESSION OF HETEROLOGOUS GENES**
 - c. Attorney Docket No.: CGNE.099.00USRe

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EL637H9Z747US

Date of Deposit: 19 May, 2000

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C., 20231.

Jennifer Wahlsten
(Signature)
Jennifer Wahlsten
(Printed Name)

05/19/00
Jc804 U.S. PTO

05/19/00

Jc525 U.S. PTO
09/574946
05/19/00

2. Also enclosed are:

- ☒ **65** sheets specification and claims (amended)
- ☒ **44** sheets of ☐ informal ☒ formal drawing(s).
- ☐ ___ sheets of sequence listing (paper copy).
- ☒ An ☐ executed ☒ unexecuted
 - ☒ Reissue Oath/Declaration.
 - ☐ Reissue Declaration By Assignee.
 - ☐ Power of Attorney by Assignee.
- ☒ Original U.S. Patent currently assigned
 - ☒ Yes. ☐ No.
 - ☒ Assignees' Assent to Reissue (unexecuted).
 - ☒ 37 CFR § 3.73 (b) statement.
 - ☒ Power of attorney.
- ☐ A Verified Statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 was previously established.
- ☐ Certified copy(ies) of ___ application number(s) ___ filed ___.
- ☒ An Information Disclosure Statement.
- ☐ A preliminary amendment.
- ☐ Statement in Compliance with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence.
- ☐ A Petition for Expedited Foreign Filing License.
- ☐ A Declaration of Availability under MPEP 608.01(p)C.
- ☐ An Associate Power of Attorney.
- ☐ References Cited in Reissue Declaration.
- ☒ Offer by Assignee to Surrender Original Patent (unexecuted).
- ☒ Return postcard (postage prepaid).
- ☐ Request for Drawings.
- ☐ Reissue application fee transmittal form.

3. ☒ Total filing fees are calculated as follows:

\$

Claims as Filed - Part 1

<u>Claims in Patent</u>	<u>For</u>	<u>No. Filed in Reissue Application</u>	<u>No. Extra</u>	<u>Small Entity</u>		<u>Other than a Small Entity</u>	
				<u>Rate</u>	<u>Fee</u>	<u>Rate</u>	<u>Fee</u>
25	Total Claims (37 CFR 1.16(j))	170	145	X \$9	\$	145 X \$18	\$2610.00
5	Independent Claims (37 CFR 1.16(j))	35	30	X \$39	\$	30 X \$78	\$2340.00
Basic Fee (37 CFR 1.16(h))					\$		\$ 690.00
Total Filing Fee					\$		\$5640.00

Other Fees

- ☐ Assignment Recording Fee
_____ Assignments @ \$40.00 each
- ☐ Petition for Expedited Foreign
Filing License\$130.00
- ☐ Other fees (list individually)

Total Other Fees:

\$

TOTAL FEES: \$5640.00

- ☒ A check including the amount of the above indicated TOTAL FEES is attached.
- ☐ Please charge Deposit account No. 18-0020 the amount of \$.
- ☐ A check in the amount of \$ _____ is attached.
- ☐ Filing fee is deferred. Please award a filing date and serial number based upon the enclosed specification (and any drawings), under 35 U.S.C. § 111.
- ☐ No fee is required.
- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

[X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020:

[X] Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

[X] Any patent application processing fees under 37 C.F.R. § 1.17.

[X] A **duplicate** copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: 19 May, 2000



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BRV/JLW
Enclosures

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